



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09819920	03/29/2001	Yoshiaki Komatsu	108631

EXAMINER	
Ali Zamani	
ART UNIT	PAPER NUMBER
2674	8

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

- (1) Ali Zamani (3) _____
(2) Paul F. Daebeler (4) _____

Date of Interview 09/04/03

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☒ No If yes, brief description: _____

Agreement ☐ was reached. ☐ was not reached.

Claim(s) discussed: 1-14

Identification of prior art discussed: _____

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: _____

Applicant's Proposal Amendment over comes the applied Art (102 e rejection). The Examiner Conduct further Search

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has are ready been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

Ali A. Zamani
09/04/03

Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

Except as otherwise provided, a complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

§1.133 Interviews

(b) In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111 and 1.135. (35 U.S.C. 132)

§ 1.2. Business to be transacted in writing. All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete a two-sheet carbon interleaf Interview Summary Form for each interview held after January 1, 1978 where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks in neat handwritten form using a ball point pen. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, pointing out typographical errors or unreadable script in Office actions or the like, or resulting in an examiner's amendment that fully sets forth the agreement are excluded from the interview recordation procedures below.

The Interview Summary Form shall be given an appropriate paper number, placed in the right hand portion of the file, and listed on the "Contents" list on the file wrapper. In a personal interview, the duplicate copy of the Form is removed and given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephonic interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication.

The Form provides for recordation of the following information:

- Application Number of the application
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (personal or telephonic)
- Name of participant(s) (applicant, attorney or agent, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the claims discussed
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). (Agreements as to allowability are tentative and do not restrict further action by the examiner to the contrary.)
- The signature of the examiner who conducted the interview
- Names of other Patent and Trademark Office personnel present.

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

It is desirable that the examiner orally remind the applicant of his obligation to record the substance of the interview in each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form informing the applicant that he need not supplement the Form by submitting a separate record of the substance of the interview.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview:

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner. The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he feels were or might be persuasive to the examiner,
- 6) a general indication of any other pertinent matters discussed; and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete or accurate, the examiner will give the applicant one month from the date of the notifying letter to complete the reply and thereby avoid abandonment of the application (37 CFR 1.135(c)).

Examiner to Check for Accuracy

Applicant's summary of what took place at the interview should be carefully checked to determine the accuracy of any argument or statement attributed to the examiner during the interview. If there is an inaccuracy and it bears directly on the question of patentability, it should be pointed out in the next Office letter. If the claims are allowable for other reasons of record, the examiner should send a letter setting forth his or her version of the statement attributed to him. If the record is complete and accurate, the examiner should place the indication "Interview record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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FACSIMILE TRANSMISSION COVER SHEET

July 30, 2003

To: Examiner Zamani
U.S. Patent and Trademark Office
703-746-5764

From: Paul F. Daebeler

Your Ref.: U.S. Application No. 09/819,920 Our Ref.: 108631

Number of Pages Sent (Including cover sheet): 9

Prepared By: al

Comments:

Sent by:

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshiaki KOMATSU

Group Art Unit: 2674

Application No.: 09/819,920

Examiner: A. A. Zamani

Filed: March 29, 2001

Docket No.: 108631

For: INFORMATION RECORDING AND REPRODUCING APPARATUS

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PROPOSED

Sir:

In reply to the June 23, 2003 Office Action, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims; and

Remarks.

Application No. 09/819,920

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An information recording and reproducing apparatus, comprising:

a recording mode selecting device that includes a recording position designating portion for designating a certain position in an input area; and

a recording switch that outputs a recording start signal and a recording end signal of sound data in response to a switching of the switch;

a coordinate on data detecting device that detects coordinate data of a position in the input area designated by the position designating portion;

a designated coordinate data storing device that stores the coordinate data detected by the coordinate data detecting device as designated coordinate data; and

a written information inputting device that includes an input position designating portion for inputting written information by designating a certain position in the input area, wherein the coordinate data detecting device detects coordinate data of a position designated by the position designating portion of the written information inputting device, wherein the written information inputting device further includes an erase designating portion for erasing the written information by designating the certain position in the input area; and

a sound data storing device that starts recording the sound data in association with the designated coordinate data in response to an output of the recording start signal and that ends recording in response to an output of the recording end signal.

2. (Currently Amended) The information recording and reproducing apparatus according to claim 1, further comprising:

Application No. 09/819,920

~~a written information inputting device that includes a input position designating portion for inputting written information by designating a certain position in the input area, wherein the coordinate data detecting device detects coordinate data of a position designated by the position designating portion of the written information inputting device; and~~

a written information storing device that stores the coordinate data of the written information inputting device as stroke data in association with the sound data by the designated coordinate data.

3. (Original) The information recording and reproducing apparatus according to claim 2, wherein the written information storing device stores a plurality of sets of the stroke data in association with the sound data via the designated coordinate data, the apparatus further comprises:

a playback mode selecting device that includes a playback position designating portion for designating a playback position in the input area and that outputs a playback start signal; and

a sound data playback device that starts a playback of the sound data stored in the sound data storing device in association with one of the plurality of sets of stroke data via the designated coordinate data for a position designated by the playback position designating portion in response to an output of the playback start signal when the designated coordinate data is determined to be included in a range of the input area where the one of the plurality of sets of stroke data belongs.

4. (Original) The information recording and reproducing apparatus according to claim 3, wherein the written information inputting device uses one end of a pen-type member as the input position designating portion, and the recording mode selecting device uses another end of the pen-type member as the recording designating portion.

Application No. 09/819,920

5. (Original) The information recording and reproducing apparatus according to claim 3, wherein the written information inputting device and the recording mode selecting device share one end of a pen-type member as a common position designating portion and the pen-type member is provided with a switching device that selects a function of the pen-type member between the written information inputting device and the recording mode selecting device.

6. (Original) The information recording and reproducing apparatus according to claim 3, wherein the written information inputting device and the recording mode selecting device individually use one end of respective pen-type members as the input position designating portion and the recording position designating portion, respectively.

7. (Original) The information recording and reproducing apparatus according to claim 3, wherein the recording switch is an on-off switch that is activated by the recording position designating portion making contact with the input area.

8. (Currently Amended) A storage medium storing an information recording and reproducing program that can be read by a computer, the program comprising:

a coordinate data detecting routine detecting coordinate data of a designated position on an input area designated by a recording position designating portion of a recording mode selecting device that outputs at least one of a recording start signal and a recording end signal of sound data by switching of a switch;

a designated coordinate data storing routine storing the coordinate data detected by the coordinate data detecting routine as designated coordinate data; ~~and~~

a sound data storing routine starting recording of the sound data in association with the designated coordinate data in response to an output of the recording start signal, and ending recording in response to an output of the recording end signal; and

Application No. 09/819,920

an erasing detecting routine detecting coordinate data of a designated position on the input area designated by an erasure position designating portion of an erasing mode selecting device that outputs an erasing start signal by switching the switch.

9. (Original) The storage medium according to claim 8, wherein the coordinate data detecting routine that further detects coordinate data of a position designated by an input position designating portion of a written information inputting device; the program further comprises a written information storing routine that stores the coordinate data of the position designated by the written information inputting device as stroke data in association with the sound data using the designated coordinate data.

10. (Original) The storage medium according to claim 9, wherein the written information storing routine stores a plurality of sets of the stroke data in association with the sound data using the designated coordinate data; and the program further comprises a sound data playback routine that starts a playback of the sound data stored in association with one of the plurality of sets of the stroke data by the designated coordinate data for a position designated by a playback position designating portion of the recording mode selecting device in response to an output of a playback start signal when the designated coordinate data is determined to be included in a range of the input area where the one of the plurality of sets of the stroke data belongs.

11. (Canceled)

12. (Currently Amended) The information recording and reproducing apparatus according to claim 11, further comprising a sound data erasing device that erases the sound data if all of the written information is erased.

13. (Original) The information recording and reproducing apparatus according to claim 1, wherein the recording switch is disposed on the recording mode selecting device.

Application No. 09/819,920

14. (Original) The information recording and reproducing apparatus according to claim 1, wherein the recording switch is disposed on the input area.

Application No. 09/819,920

REMARKS

Claims 1-10 and 12-14 are pending in this application. By this Amendment, claims 1-2, 8 and 12 are amended and claim 11 is canceled. No new matter is added. Reconsideration based on the above amendments and the following remarks is respectfully requested.

I. The Claims Define Allowable Subject Matter

Claims 1-14 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,529,920 B1 to Arons et al. ("Arons"). This rejection is respectfully traversed.

Arons does not disclose a written information inputting device including "an erase designating portion for erasing the written information by designating the certain position in the input area" as recited in claim 1 from which claims 2-7 and 12-14 directly or indirectly depend. Moreover, Arons does not disclose "an erasing detecting routine detecting coordinate data of a designated position on the input area designated by an erasure position designating portion of an erasing mode selecting device that outputs an erasing start signal by switching the switch" as recited in claim 8 from which claims 9 and 10 directly or indirectly depend.

Arons discloses a multimedia linking device automatically linking hand written notes made on a page to audio data, so that a user can take notes while observing a multimedia presentation and later review the notes and corresponding segments of the recorded multimedia presentation. However, Arons does not teach or suggest "an erase designation portion for erasing the written information" or "an erasing detecting routine...that outputs an erasing start signal by switching the switch."

Application No. 09/819,920

II. Conclusion

For at least these reasons, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 and 12-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number set forth below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Paul F. Daebeler
Registration No. 35,852

PROPOSED

JAO:PFD/al

Date: [DRAFT]

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